



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**VIA FIRST CLASS MAIL**

APR - 7 2009

Thomas Leatherwood  
c/o Leatherwood for Congress  
PO Box 738  
Arlington, TN 38002

RE: MUR 6032

Dear Mr. Leatherwood:

On July 10, 2008, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("Act"). On March 26, 2009, based upon the information contained in the complaint, and information provided by you, the Commission decided to dismiss the complaint and closed its file in this matter.

In light of the information before the Commission, it appears that you may have violated the disclaimer provisions under 2 U.S.C. § 441d for your apparent failure to use the appropriate disclaimers in your television advertisements. Specifically, it appears that the television advertisements referred to in the complaint required an oral disclaimer under 2 U.S.C. § 441d and 11 C.F.R. § 110.11(a)(1). The Commission cautions you that television advertisements are a form of public communication (as defined in 11 C.F.R. § 100.26) by a political committee and must include both written and oral disclaimers. See 11 C.F.R. §§ 110.11(b); 110.11(c)(1); and 110.11(c)(3). For your reference, the definition of public communication includes a broadcast by means of any network, cable or satellite communication. You should also note that the applicability of 11 C.F.R. § 110.11(a)(1) is not limited to any particular time period prior to an election.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). A copy of the dispositive General Counsel's Report is enclosed for your information.

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For further information on policies and procedures involving the regulation of the Federal Election Campaign Act please refer to the Commission's website at [www.fec.gov](http://www.fec.gov) or contact the Commission's Public Information Division at (202) 694-1100.

If you have any questions, please contact Frankie D. Hampton, the paralegal assigned to this matter, at (202) 694-1650.

Sincerely,

Thomasenia P. Duncan  
General Counsel



BY: Jeff S. Jordan  
Supervisory Attorney  
Complaints Examination and  
Legal Administration

Enclosure  
General Counsel's Report